

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MICHAEL BEHAYLO,

Plaintiff,

vs.

THE TOP-FLITE GOLF COMPANY,

Defendant.

CIVIL ACTION NO. 05-30178-KPN

**ASSENTED-TO MOTION TO CONTINUE  
HEARING ON MOTION FOR SUMMARY  
JUDGMENT AND MOTIONS TO STRIKE**

NOW COMES The Top-Flite Golf Company ("Defendant") and hereby requests that the hearings scheduled for March 15, 2007 in the above-captioned matter be rescheduled to March 26, 2007 at a time convenient for the court. The request is necessary due to existing out of state vacation plans for counsel. The parties have confirmed their availability for March 26, 2007, and have been informed that the date was likely convenient for the court. Counsel for the Plaintiff assents to this motion.

Respectfully Submitted,

/s/ Jay M. Presser, Esq.

Jay M. Presser, Esq.

BBO #405760

Counsel for Defendant

Skoler, Abbott & Presser, P.C.

One Monarch Place, Suite 2000

Springfield, Massachusetts 01144

Tel. (413) 737-4753/Fax (413) 787-1941

Dated: February 5, 2007

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing *Assented-To Motion to Continue Hearing on Motion for Summary Judgment and Motions to Strike* was served upon the attorney of record for each other party via electronic filing on February 5, 2007.

/s/ Jay M. Presser  
Jay M. Presser, Esq.